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March 25, 2015

Via ECF

Honorable Katherine B. Forrest
United States District Judge
United States Courthouse
500 Pearl Street, Room 1950
New York, NY 10007

Re: Grand Manor v Koskinen, et.al. Docket No. 14 cv 10130 (KBF)

Dear Judge Forrest:

I represent the defendants, Hamilton Equities Co., Hamilton Equities Inc., Robert J. Nova and Suzan Chait-Grandt in the within action. As the Court is aware, a stipulated interim stay is in effect in this matter pending the sale of the property located at 700 White Plains Rd., Bronx, NY. Presently, a buyer has entered a contract of sale and is seeking to close tomorrow Thursday, March 26, 2015 at 10:30 AM.

As part of this closing, co-defendants HUD, IRS and Berkadia are seeking a stipulation of discontinuance of the matters presently before the court regarding them. I believe such a stipulation would be appropriate and I am ready to sign the same. However, it appears that Plaintiff's counsel has indicated he will not sign a stipulation of discontinuance. See email exchange between Steven Rand, Esq. and Roy Breitenbach, Esq.

Accordingly, I respectfully request that the Court schedule a phone conference this afternoon to determine if this matter can proceed to closing tomorrow.

Respectfully,
/s/ John J. Macron
John J. Macron

Cc: Roy Breitenbach, Esq. (via ECF)
Steven Rand, Esq. (via ECF)
Natasha L. Waglow, Esq. (via ECF)

Macron, John J.

From: "Steven S. Rand" <srand@zeklaw.com>
To: "Breitenbach, Roy" <rbreitenbach@garfunkelwild.com>
Cc: "Waglow, Natasha (USANYS)" <Natasha.Waglow@usdoj.gov>; "Macron, John J." <john@macroncowhey.com>; "Tarique N. Collins" <TCollins@zeklaw.com>
Sent: Wednesday, March 25, 2015 1:29 PM
Subject: RE: Grand Manor - Hamilton Equities
Roy

Assuming that Berkadia was to pay the reserve for replacement funds into court (subject to HUD's review and approval), would that satisfy your concerns?

Please advise by return email.

Steve

Steven S. Rand, Esq.
Partner
Zeichner Ellman and Krause LLP

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From: Breitenbach, Roy [<mailto:rbreitenbach@garfunkelwild.com>]
Sent: Wednesday, March 25, 2015 12:41 PM
To: Steven S. Rand
Cc: Waglow, Natasha (USANYS); Macron, John J.; Tarique N. Collins
Subject: Re: Grand Manor - Hamilton Equities

We will not. Arrangement has to be made for the distribution of reserve for replacement funds

Sent from my iPhone

On Mar 25, 2015, at 12:39 PM, "Steven S. Rand" <srand@zeklaw.com> wrote:

3/25/2015

Roy

We are advised that the prospective purchaser is ready to close tomorrow on the purchase of the subject premises.

We understand that at closing, Berkadia, HUD (to the extent applicable) and the IRS (the "Lienor Defendants") will be paid off.

Accordingly, we would like to circulate a stipulation dismissing the pending action against the Lienor Defendants, which we may submit to judge Forrest to be so ordered, upon closing.

Please confirm by return email that you will execute the stipulation on behalf of the plaintiff, and we will circulate the stipulation for execution.

Thanks in advance for your anticipated cooperation.

Steve

Steven S. Rand, Esq.
Partner
Zeichner Ellman and Krause LLP

<image001.jpg>

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<image002.jpg>

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3/25/2015

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